

CIVIL COVER SHEET

JS 44C/SDNY
REV. 4/2012

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Irving H. Picard, Trustee for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L.
Madoff

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

David J. Sheehan, Baker & Hostetler LLP
45 Rockefeller Plaza, New York, NY 10111
(212) 589-4200

DEFENDANTS

A & G Goldman Partnership, Individually and on behalf of a similarly situated
class
Pamela Goldman, individually and on behalf of a similarly situated class

ATTORNEYS (IF KNOWN)

Joshua J. Angel and Frederick E. Schmidt, Jr., Herrick, Feinstein LLP
2 Park Avenue, New York, NY 10016
(212) 592-1400

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. 158 - Appeal of Order of the United States Bankruptcy Court for the Southern District of New York

Has this or a similar case been previously filed in SDNY at any time? No ☐ Yes ☒ Judge Previously Assigned See Attached

If yes, was this case Vol. ☒ Invol. ☐ Dismissed. No ☒ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 362 PERSONAL INJURY -	[] 610 AGRICULTURE	[x] 422 APPEAL	[] 400 STATE
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	[] 365 MED MALPRACTICE	[] 620 OTHER FOOD &	28 USC 158	REAPPORTIONMENT
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL &	[] 368 PERSONAL INJURY	[] 625 DRUG RELATED	[] 423 WITHDRAWAL	[] 410 ANTITRUST
[] 140 NEGOTIABLE	SLANDER	PRODUCT LIABILITY	SEIZURE OF	28 USC 157	[] 430 BANKS & BANKING
[] 150 RECOVERY OF	[] 330 FEDERAL	INJURY PRODUCT	PROPERTY		[] 450 COMMERCE
OVERPAYMENT &	EMPLOYERS'	LIABILITY	21 USC 881		[] 460 DEPORTATION
ENFORCEMENT	LIABILITY		LIQUOR LAWS		[] 470 RACKETEER INFLU-
OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	[] 630		ENCED & CORRUPT
MEDICARE ACT	[] 345 MARINE PRODUCT		[] 640 RR & TRUCK	[] 820 COPYRIGHTS	ORGANIZATION ACT
[] 152 RECOVERY OF	LIABILITY	[] 370 OTHER FRAUD	[] 650 AIRLINE REGS	[] 830 PATENT	(RICO)
DEFAULTED	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	[] 660 OCCUPATIONAL	[] 840 TRADEMARK	[] 480 CONSUMER CREDIT
STUDENT LOANS	[] 355 MOTOR VEHICLE	[] 380 OTHER PERSONAL	SAFETY/HEALTH		[] 490 CABLE/SATELLITE TV
(EXCL VETERANS)	PRODUCT LIABILITY	PROPERTY DAMAGE	[] 690 OTHER		[] 810 SELECTIVE SERVICE
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	[] 385 PROPERTY DAMAGE			[] 850 SECURITIES/
OVERPAYMENT	INJURY	PRODUCT LIABILITY	LABOR		COMMODITIES/
OF VETERAN'S					EXCHANGE
BENEFITS			[] 710 FAIR LABOR	[] 861 HIA (1395f)	[] 875 CUSTOMER
STOCKHOLDERS			STANDARDS ACT	[] 862 BLACK LUNG (923)	CHALLENGE
SUITS			[] 720 LABOR/MGMT	[] 863 DIWC/DIWW (405(g))	12 USC 3410
OTHER			RELATIONS	[] 864 SSID TITLE XVI	[] 890 OTHER STATUTORY
CONTRACT			LABOR/MGMT	[] 865 RSI (405(g))	ACTIONS
CONTRACT			REPORTING &		[] 891 AGRICULTURAL ACTS
PRODUCT			DISCLOSURE ACT		[] 892 ECONOMIC
LIABILITY			RAILWAY LABOR ACT	[] 870 TAXES (U.S. Plaintiff or	STABILIZATION ACT
[] 196 FRANCHISE			OTHER LABOR	Defendant)	[] 893 ENVIRONMENTAL
			LITIGATION	[] 871 IRS-THIRD PARTY	MATTERS
			[] 791 EMPL RET INC	26 USC 7609	[] 894 ENERGY
			SECURITY ACT		ALLOCATION ACT
					[] 895 FREEDOM OF
					INFORMATION ACT
					[] 900 APPEAL OF FEE
					DETERMINATION
					UNDER EQUAL
					ACCESS TO JUSTICE
					[] 950 CONSTITUTIONALITY
					OF STATE STATUTES

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE Rakoff DOCKET NUMBER 11 Civ. 836 (JSR)

Check YES only if demanded in complaint
JURY DEMAND: ☐ YES ☒ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented ☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.
(28 USC 1322, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	1	1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	3	3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	5	5
CITIZEN OF ANOTHER STATE	2	2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	4	4	FOREIGN NATION	6	6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE July 3, 2012 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT
NO

☒ YES (DATE ADMITTED Mo. 04 Yr. 1996)
Attorney Bar Code # 2014403

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)